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## NOTICE OF ALLOWANCE AND FEE(S) DUE

20995 7590 09/12/2008

KNOBBE MARTENS OLSON & BEAR LLP  
2040 MAIN STREET  
FOURTEENTH FLOOR  
IRVINE, CA 92614

EXAMINER

BORLINGHAUS, JASON M

ART UNIT

PAPER NUMBER

3693

DATE MAILED: 09/12/2008

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/928,982

08/13/2001

Jonathan Leblang

AMAZON.062A1

7735

TITLE OF INVENTION: USER-TO-USER PAYMENT SERVICE WITH PAYEE-SPECIFIC PAY PAGES

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1440	\$300	\$0	\$1740	12/12/2008

**THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.**

**THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.**

### HOW TO REPLY TO THIS NOTICE:

#### I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

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If the SMALL ENTITY is shown as NO:

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B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

**IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.**

# **PART B - FEE(S) TRANSMITTAL**

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**INSTRUCTIONS:** This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

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20995 7590 09/12/2008

**Knobbe Martens Olson & Bear LLP**  
2040 MAIN STREET  
FOURTEENTH FLOOR  
IRVINE, CA 92614

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

## **Certificate of Mailing or Transmission**

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/928,982	08/13/2001	Jonathan Leblang	AMAZON.062A1	7735

TITLE OF INVENTION: USER-TO-USER PAYMENT SERVICE WITH PAYEE-SPECIFIC PAY PAGES

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1440	\$300	\$0	\$1740	12/12/2008

EXAMINER	ART UNIT	CLASS-SUBCLASS
BORLINGHAUS, JASON M	3693	705-040000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
- ☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. **Use of a Customer Number is required.**

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, 1 \_\_\_\_\_
- (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed. 2 \_\_\_\_\_
- 3 \_\_\_\_\_

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent) : ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

- ☐ Issue Fee
- ☐ Publication Fee (No small entity discount permitted)
- ☐ Advance Order - # of Copies \_\_\_\_\_

4b. Payment of Fee(s); (Please first reapply any previously paid issue fee shown above)

- ☐ A check is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number \_\_\_\_\_ (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

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This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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09/928,982	08/13/2001	Jonathan Leblang	AMAZON.062A1	7735
20995	7590	09/12/2008	EXAMINER	
KNOBBE MARTENS OLSON & BEAR LLP 2040 MAIN STREET FOURTEENTH FLOOR IRVINE, CA 92614			BORLINGHAUS, JASON M	
			ART UNIT	PAPER NUMBER
			3693	
DATE MAILED: 09/12/2008				

## Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 1359 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 1359 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

**Notice of Allowability**

Application No.

09/928,982

Examiner

JASON M. BORLINGHAUS

Applicant(s)

LEBLANG ET AL.

Art Unit

3693

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 7/22/08.
2. ☒ The allowed claim(s) is/are 1-15, 17-37 and 54-58.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- \* Certified copies not received: \_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |   |
|--|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application                     |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date ____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),<br>Paper No./Mail Date ____     | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                   |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance  |
|  | 9. <input type="checkbox"/> Other ____.   |

## **EXAMINER'S AMENDMENT**

### ***Withdrawal of Finality***

Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn.

### ***Terminal Disclaimer***

The terminal disclaimer filed on 7/22/08 disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of US Patent 7,356,507 has been reviewed and is accepted. The terminal disclaimer has been recorded.

### ***Examiner's Amendment***

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Ron Schoenbaum on 7/22/08.

**Claims 1, 17, 20 and 32** are amended as follows:

**Claim 1.** A server system for providing a user-to-user payment service, the system comprising:

- a pay page generation module which provides functionality for payees to remotely generate, via a web browser, customized pay pages for receiving payments from other users;
- a server that provides access to a plurality of payee-specific pay pages generated using the pay page generation module, said payee-specific pay pages including content specified by the corresponding payees, each pay page corresponding to a respective payee, and being accessible at a respective Uniform Resource Locator (URL) that contains an identifier of the respective payee, said URLs of the pay pages otherwise being identical, wherein the pay pages include functionality for allowing pay page visitors to enter payment amounts and to initiate payments to corresponding payees, and are capable of being used to make payments that are not associated with sales transactions;~~and~~
- a transaction processing module which is responsive to a payment request, said payment request initiated by a pay page visitor using a pay page accessed via said server, by transferring funds from an account of the visitor to an account of a payee associated with the accessed pay page, and by redirecting a browser of the visitor to a URL pre-specified by the payee; and

- a link generation module which provides functionality for payees to define links to their respective pay pages and to make such links available, via the server system, for other users to install within external web pages.

**Claim 17.** The system as in Claim 0, ~~further comprising a~~ wherein the link generation module which generates a link to a payee's pay page for incorporation into an external web page, wherein the link generation module and provides an option for the payee to specify, in connection with said link, at least one type of parameter for customizing the pay page for visitors that access the pay page from the link.

**Claim 20.** A method of effecting network based user-to-user payments, comprising:

- providing a web-based service for users to set up customized, payee-specific pay pages to receive payments from other users;
- hosting a plurality of payee-specific pay pages on a web site associated with said service, said pay pages created via said service, at least some of the pay pages corresponding to different payees than others, said pay pages including content specified by corresponding payees;
- generating, via a link generation tool of said web-based service, link coding that is adapted to be incorporated into an external web page to install a payment object on the external web page, said payment object providing a link to a particular one of said payee-specific pay pages;

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- receiving, at a server of said web site, a page request from a browser of a visitor, said page request initiated by said visitor using the payment object as installed on the external web page via said link coding, wherein the page request identifies ~~[[a]]~~ said payee-specific pay page ~~generated using the service;~~
- returning the pay page to the browser for display to the visitor, wherein the pay page includes a link for initiating payment to a payee associated with the pay page, and includes a field for the visitor to specify an amount of the payment, said pay page not associated with a sales transaction; ~~and~~
- in response to selection of the link, initiating a payment transaction to transfer funds from an account of the visitor to an account of the payee; and
- redirecting the browser of the visitor to an external URL pre-specified by the payee.

**Claim 32.** A computer-implemented method of effecting user-to-user payments, comprising, through a service provider site:

- providing a service for payees to generate customized pay pages for receiving payments from other users;
- receiving and storing pay page settings specified by a payee through the service, said pay page settings specifying content and a behavior of a



payee-specific pay page of the payee, said pay page not being associated with a sales transaction;

- generating and outputting link coding that is adapted to be incorporated into an external web page to install a payment object on the external web page, said payment object providing a link to said payee-specific pay page;
- generating, and outputting to a visitor, a customized version of the pay page indicating a single action to be performed by the visitor within the pay page to pay the payee; and
- responding to performance by the visitor of the single action by at least (a) initiating payment, and (b) redirecting a browser of the visitor to an external page pre-specified by the payee, said external page being a page that is not hosted by the service provider site.

### ***Statement of Reasons for Allowance***

The following is a statement of reasons for indication of allowable subject matter.

The prior art fails to teach or suggest, the limitations of:

- "a link generation module which provides functionality for payees to define links to their respective pay pages and to make such links available, via the server system, for other users to install within external web pages" (as in Claim 1);

- “generating, via a link generation tool of said web-based service, link coding that is adapted to be incorporated into an external web page to install a payment object on the external web page, said payment object providing a link to a particular one of said payee-specific pay pages” (as in Claim 20); and
- “generating and outputting link coding that is adapted to be incorporated into an external web page to install a payment object on the external web page, said payment object providing a link to said payee-specific pay page” (as in Claim 32);

Such limitation is present in all independent claims.

It is old and well known in the art to utilize a server system for providing a network-based user-to-user payment system comprised of remotely created web-pages and for some of said web-pages to be enabled to accept payments or fund transfers. Furthermore, numerous other recited components and listed elements of the claimed system are also old and well known in the art, such as utilization of a database to store said web-pages, a transaction processing module allowing for complete settlement of the fund transfer, and usage of objects or images in a displayed web- page.

However, the inventive or innovative step does not need to be derived from the individual components of the invention but can be derived from a unique or novel approach to combining or utilizing such prior existing elements, for the Federal Circuit has long established that “[c]ombination claims can consist of new combinations of old

elements..., for it may be that the combination of the old elements is novel and patentable." *Clearstream Wastewater Sys. v. Hydro-Action, Inc.*, 206 F.3d 1440, 1444, 54 USPQ2d 1185, 1189 (Fed. Cir. 2000).

Examiner asserts that the instant application does claim a unique and novel approach through combination of such prior existing elements. In particular, Examiner asserts that the instant application distinguishes from common practice by utilizing a generation module, housed in a server system, that is configured to generate and output to a user, coding for incorporation into an external website that, when activated, retrieves an object from the server system for display on the external website.

Conklin (US Patent 6,336,105) discloses a system for providing a network-based user-to-user payment service comprising a web-page generation module that provides functionality for payees to remotely create their own community web-pages, some of which are enabled to receive payments. (see col. 13, line 58 - col. 15, line 20). Neither this patent, alone nor in combination with others, discloses nor suggests the feature of a generation module, housed in a server system, that is configured to generate and output to a user, coding for incorporation into an external website that, when activated, retrieves an object from the server system for display on the external website.

Gralla (Gralla, Preston. *How The Internet Works. Millennium Edition*. Que. 1999. pp. vi- 324) discloses a system for providing a web-page generation module that provides functionality for individuals to create their own web-pages and a module, housed in a server system (object server), that retrieves objects (images) for display within web pages (via DHTML). (see pp. 144 - 149). Neither this non-patent literature,

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alone nor in combination with others, discloses nor suggests the feature of a generation module, housed in a server system, that is configured to generate and output to a user, coding for incorporation into an external website that, when activated, retrieves an object from the server system housing for display on the external website.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JASON M. BORLINGHAUS whose telephone number is (571)272-6924. The examiner can normally be reached on Monday - Friday; 9am - 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James A. Kramer can be reached on (571)272-6783. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/James A. Kramer/  
Supervisory Patent Examiner, Art Unit 3693

/Jason M Borlinghaus/  
Examiner, Art Unit 3693

July 30, 2008